

**FILED**

JAN 31 2006

*Carol L. Monroe*  
Auditor Franklin County

ORDINANCE NO. 2006-02

Ordinance Allowing Donations Amended  
Franklin County, Indiana

**WHEREAS**, THE Franklin County Board of Health may provide various services to the Public at an ever changing expense that can be paid for by donations.

**NOW THEREFORE**, be it ordained by the Board of Commissioners of Franklin County, Indiana that:  
The Franklin County Health Department is establishing a fund to be named "donation fund".

The Franklin County Health Department may provide services of, but not limited to: Cholesterol screening, TB testing, Flu vaccinations and Pneumonia vaccinations and will be administered free of charge. However to offset the ever changing cost of supplies and medications, the Health Department will accept donations from those individuals that feel they can afford to do so and the money will be put into the donation fund. The money will be used to purchase supplies, medications, equipment and software.

This ordinance shall be in full force and effect on January 30, 2006.

PASSES, ORDAINED AND ADOPTED by the Board of Commissioners of Franklin County, Indiana, on this 30<sup>th</sup> day of January, 2006.

BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA

*David E. Linkel*

*Robert O. Branch*

*Thomas E. Wilsey*

ATTEST:

*Carol L. Monroe*

Carol L. Monroe  
Auditor, Franklin County, Indiana

STATE OF INDIANA )  
COUNTY OF FRANKLIN ) SS:

**FILED**

IN RE: THE VACATION OF A PORTION )  
OF A PUBLIC WAY LOCATED IN )  
BLOOMING GROVE TOWNSHIP, )  
FRANKLIN COUNTY, IN )

MAR 13 2006

*Carol Monroe*  
Auditor Franklin County

ORDINANCE NO. 2006-05  
COUNTY OF FRANKLIN, STATE OF INDIANA

BE IT ORDAINED by the Board of County Commissioners for the County of Franklin, State of Indiana, pursuant to I.C. 36-7-3-12, that pursuant to a Petition to Vacate a Portion of a Public Way filed with the Board of County Commissioners for the County of Franklin, State of Indiana, on the 14th day of February 2006, in behalf of James T. Conner, as Petitioner, the following described portion of the public way is hereby vacated in that said public way has not been utilized by the public for over \_\_\_\_\_ years, and is no longer necessary as a means of public convenience.

That portion of said public way which is hereby vacated is more particularly described as follows: Commencing at the south end of the existing county highway known as Upper Jim Run Road in Section 7, Township 12, Range 13 East in Blooming Grove Township, Franklin County, Indiana; thence continuing south to the north end of the existing county highway known as Lower Jim Run Road located in Section 7, Township 12, Range 13 East in Blooming Grove Township, Franklin County, Indiana.

The County of Franklin reserves an easement for the future location of utility lines on the portion of the public way vacated.

This Ordinance shall be in full force and effect from and after its passage by law.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS for the County of Franklin, State of Indiana, this 13<sup>th</sup> day of March 2006.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, INDIANA

By: *Barbara A. Lender*

By: *Robert W. Ferrell*

By: *Thomas E. Wilson*

ATTEST:

*Carol Monroe*  
CAROL MONROE  
Auditor, Franklin County, IN  
(re \vacating\conner\ordinance)



JUL 17 2006

*Cary H. M. Swire*  
Auditor Franklin County

**ORDINANCE NO. 2006-09**  
**AN ORDINANCE CREATING CHAPTER 84 COMMISSIONERS COUNCIL**  
**ON HISTORIC METAMORA**

Amendment and Replaces Ordinance No. 2004-09  
WHEREAS, the unincorporated Town of Metamora, Indiana, is unique in its business and history, and

WHEREAS, the Commissioners of Franklin County, Indiana, in recognition of its business and history, are desirous of appointing a council to provide stability and direction to residents and business owners of Metamora,

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

I. There is hereby created the Commissioners Council on Historic Metamora to serve the historic preservation area of the unincorporated Town of Metamora, Franklin County, Indiana, hereinafter referred to as the "Council."

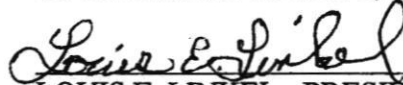
**SECTION 84.01**  
**THE BOARD OF REVIEW**

The Council shall consist of seven (7) voting members who shall be selected as follows:

1. The voting members shall be nominated by the Metamora community and then considered for appointment by the County Commissioners of Franklin County, Indiana; the Commissioners may make appointments to the Council, which shall consist of the following:
  - a. One (1) member shall operate a business and own real estate within the primary district and reside within the State of Indiana.
  - b. One (1) member shall own real estate and reside in the secondary district.
  - c. One (1) member shall own real estate in Duck Creek Crossing and reside within the State of Indiana.
  - d. One (1) member shall own real estate and operate a business in the unincorporated Town of Metamora and reside in Franklin County, Indiana.
  - e. One (1) member shall own real estate and operate a business in the unincorporated Town of Metamora and reside within the State of Indiana.
  - f. Two (2) member shall be appointed from any of the above categories.
2. Voting members shall serve a term of two (2) years; however, the initial term shall be four (4) members for two (2) years and three (3)

BE IT NOW ORDAINED AND ADOPTED this 27th day of March 2006.

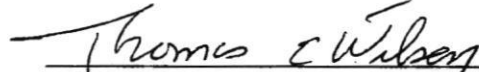
BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA



LOUIS E. LINKEL - PRESIDENT

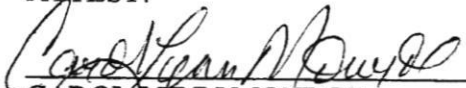


ROBERT O. BRACK - MEMBER



THOMAS E. WILSON - MEMBER

ATTEST:



CAROL LYNN MONROE

AUDITOR, FRANKLIN COUNTY, INDIANA

members for one (1) year as determined by initial appointment; after the appointment of the initial council, no member shall serve more than two (2) consecutive terms; a member may be reappointed after being off the council for two (2) years.

3. Voting members absent for more than four (4) meetings in a calendar year shall be removed from the council, and be replaced by appointment of the County Commissioners. In the event an appointed member of the council shall not qualify because he/she does not meet a requirement or requirements as set forth above, such member shall be removed from the council, and a new member appointed by the County Commissioners; such vacancy shall be filled in the manner as set forth above and shall be for the unexpired term of the vacated council member.

4. The County Commissioners may appoint non-voting advisory members to the council as they deem appropriate without regard to residency or ownership of property.

5. Members of the council shall serve without compensation, but may be paid for reasonable expenses incurred in the performance of their duties. It is intended that funds will be generated by the council in the application or enforcement of this Ordinance.

~~6. The council shall elect from its membership a Chairman and a Vice-Chairman, who shall serve one year terms. The Chairman shall preside over council meetings and shall have the right to vote. In the absence of the Chairman, the Vice Chairman shall preside over meetings.~~

7. A Secretary of the council shall be selected from those voting members not selected to serve as Chairman or Vice Chairman.

8. The council meetings shall be conducted under Roberts Rules of Order, and its meeting shall not be inconsistent with this Ordinance; the council shall establish a time and place for regular meetings, and a procedure for the calling of special meetings; all council meetings shall be open to the public, and any public record shall be kept of the council's resolutions, proceedings and actions.

9. The council shall meet at least once per month.

#### SECTION 84.02 POWERS AND DUTIES OF THE COUNCIL

The powers, authority and duties of the Commissioners Council on Historic Metamora shall be as follows:

1. The council shall have the power to conduct a survey to identify historic buildings, structures, and places located within the primary historic district.

2. Upon such survey as referenced above, the council shall submit to the Board of County Commissioners a map describing the boundaries of a historic area or historic areas; a historic area may be limited to the



boundaries of a property containing a single building, structure or site; the map may divide a district into primary and secondary areas; all of any district created by the provisions of this ordinance shall be considered a primary area if the map makes no contrary designation.

3. The council shall classify and designate on the above referenced map all buildings and structures within each historic area described on the map; buildings and structures shall be classified as historic or non-historic as follows:

- a. Historic buildings and structures must possess identified historic or architectural merit of a degree warranting their preservation, and may be further classified as outstanding; notable; contributing; or non-contributing.
- b. The council may devise its own system of further classifying historical buildings and structures.
- c. Non-historic classification shall be those buildings and structures not classified on the map as historic.

#### SECTION 84.03

#### APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

1. The map setting forth the historic district boundaries and buildings classifications must be submitted to the Board of County Commissioners and approved by separate ordinance before the historic district is established and the buildings classifications take effect.

#### SECTION 84.04

#### CERTIFICATE OF APPROPRIATENESS REQUIRED

1. A Certificate of Appropriateness shall be issued by the council before a permit is issued for, or work is begun on, any of the following:

a. Within all areas of the historic district:

- aa. The demolition of any building;
- bb. The moving of any building;
- cc. A conspicuous change in the exterior appearance of existing buildings by additions, reconstruction, alteration, or maintenance involving exterior color changes; or,
- dd. Any new construction of a principal building or accessory building or structure subject to view from a public way.

b. Within a primary area of the historic district:

- aa. A change in walls and fences or construction of walls and fences, if along public ways; or,
- bb. A conspicuous change in the exterior appearance

of non-historic buildings subject to a view from public way by additions, reconstruction, alteration, or maintenance involving exterior color changes.

#### SECTION 84.05

#### APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

1. Applications for a Certificate of Appropriateness may be made in the office of the Executor Director of the Franklin County Area Plan Commission, or from the council; forms shall be provided by the council. Detailed drawings, plans or specifications are not required; however, each application must be accompanied by such sketches, drawings, photographs, descriptions or other information showing the proposed exterior alterations, additions, changes or new construction so as to permit the council to make a determination on such application.

#### SECTION 84.06

#### ACTION ON APPLICATION FOR CERTIFICATES OF APPROPRIATENESS

1. The council may advise and make recommendations to the applicant before acting on an application for a Certificate of Appropriateness.

2. If an application for a Certificate of Appropriateness is approved by the council or is not acted on by the council within thirty (30) days after it is filed, a Certificate of Appropriateness shall be issued by the historic board. If the Certificate is issued, the application shall be processed in the same manner as applications for building or demolition permits required by Franklin County, if any, are processed. If no building or demolition permits are required by Franklin County, the applicant may proceed with the work authorized by the Certificate.

3. If the council denies an application for a Certificate of Appropriateness within thirty (30) days after it is filed, the Certificate may not be issued. The council must state its reasons for the denial in writing, and must advise the applicant of its denial. An application that has been denied may not be processed as an application for a building or demolition permit and does not authorize any work by the applicant.

4. The council may grant an extension of the thirty (30) day limit prescribed by sub-sections 2 and 3 above if the applicant agrees thereto.

5. A Certificate of Appropriateness permit shall be deemed to authorize the particular changes reflected on the permit. Such permit shall expire if, for any reason, the change has not commenced within one (1) year of the date of the permit.

6. Certificates of Appropriateness shall be granted if the council determines that the proposed action is not obviously incongruous (?) with the historic area and shall not be granted if the proposed action is obviously incongruous with the historic area. In determining whether a particular proposal is obviously incongruous with the historic area, the



council shall take into account the purposes of this chapter, the visual compatibility standards contained herein, the historic and architectural significance of the structure and the effect of the proposed change in diminishing or enhancing such significance, the effect of the proposed change on the street scape, and the effect of the proposed change on the district as a whole. The council shall act in a manner which preserves the visual aspects of the architectural and historic character of the area by assuring that obviously incongruous changes are not allowed.

#### SECTION 84.07

#### DEVELOPMENT STANDARDS; MAINTENANCE

1. A historic building or structure, or any part of or appurtenance to such a building or structure, including stone walls, fences, light fixtures, steps, paving, and signs, may be moved, reconstructed, altered, or maintained only in the manner that will preserve the historical and architectural character of the building, structure, or appurtenance.
2. An historic building may be relocated to another preservation on its current site is consistent with subsection 1 above.
3. ~~Historic buildings shall be maintained to meet the applicable requirements established under statute for buildings generally.~~
4. The construction of a new building or structure, and the moving, reconstruction, alteration, major maintenance or repair involving a color change conspicuously affecting the external appearance of any non-historic building, structure, or appurtenance within the primary area must be generally of a design, form, proportion, mass, configuration, building material, texture, color, and location on a lot compatible with the buildings in the historic area, particularly with buildings designated as historic, and with squares and places to which it is visually related.

#### SECTION 84.08

#### PRESERVATION RIGHTS, DEMOLITION, AND APPEAL

1. The purpose of this section is to preserve historic areas that are important to the education, culture, traditions, and economic values of Franklin County and to afford the County's historical organizations, and other interested persons, the opportunity to acquire or to arrange for the preservation of these buildings.
2. If a property owner shows that an historic building is incapable of earning an economic return on its value, as appraised by a qualified real estate appraiser, and the Council fails to approve the issuance of a Certificate of Appropriateness, the building may be demolished. However, before a demolition permit is issued or demolition proceeds, notice of proposed demolition must be given for a period fixed by the Council, based on the Council's classification on the approved map, but not less than sixty (60) days nor more than one (1) year. Notice must be posted on the premises of the building proposed for demolition in a



location clearly visible from the street, and notice must be published in accordance with I.C. 5-3-1.

3. The Council may approve a Certificate of Appropriateness at any time during the notice period under subsection 2 above. If the Certificate is approved, a permit for demolition shall be issued without further delay and demolition may proceed.

4. A decision of the Council is subject to judicial review under I.C. 4-22-1 as if it were a decision of a state agency.

#### SECTION 84.09 VISUAL COMPATIBILITY FACTORS

1. Within the primary area of the historic district, new buildings and structures, as well as buildings, structures and appurtenances that are moved, reconstructed, materially altered, repaired, or changed in color, must be visually compatible with the buildings, squares, and places to which they are visually related generally in terms of the following visual compatibility factors:

a. Height: The height of proposed buildings must be visually compatible with adjacent buildings.

b. Proportion of the building's front facade: The relationship of the width of a building to the height of the front elevation must be visually compatible to buildings, squares, and places to which it is visually related.

c. Proportion of openings within the facade: The relationship of the width of the windows to the height of windows in a building must be visually compatible with buildings, squares, and places to which it is visually related.

d. Rhythm of solids to voids in front facades: The relationship of solids to voids in the front facade of a building must be visually compatible with buildings, squares, and places to which it is visually related.

e. Rhythm of spacing of buildings on streets: The relationship of buildings to the open space between it and adjoining buildings must be visually compatible to the buildings, squares, and places to which it is visually related.

f. Rhythm of entrances and porch projections: The relationship of entrances and porch projections to sidewalks of a building must be visually compatible to the buildings, squares, and places to which it is visually related.

g. Relationship of materials, texture, and color: The relationship of materials, texture, and color of the facade of a building must be visually compatible with the predominant materials used in the

buildings to which it is visually related.

h. Roof Shapes: The roof share of a building must be visually compatible with the buildings to which it is visually related.

i. Walls of continuity: Appurtenances of building, such as walls, wrought iron fences, evergreen landscape masses, and building facades, must form cohesive walls of enclosure along the street, if necessary to ensure visual compatibility of the building to the buildings, squares, and places to which it is visually related.

j. Scale of a building: The size of a building and the mass of a building in relation to open spaces, windows, door openings, porches, and balconies must be visually compatible with the buildings, squares, and places to which it is visually related.

k. Directional expression of front elevation: A building must be visually compatible with the buildings, squares, and places to which it is visually related in its directional character, including vertical character, horizontal character, or non-directional character.

l. Outside displays: No outside selling is allowed in the primary district of historic Metamora. Outside displays are allowed following these guidelines:

- aa. Displays shall be no more than 24 inches from the front facade of a building.
- bb. Displays shall be no taller than 60 inches from ground level.
- cc. Displays shall be no wider than 48 inches.
- dd. No visible price tags will be allowed.
- ee. No tables, shelving, folding or plastic chairs, or cardboard boxes shall be used in the display.
- ff. Materials such as wood, wrought iron, grill work and so forth are encouraged. Materials such as aluminum and plastic, or materials not made in the time period historic Metamora represents, are not acceptable in the displays.

m. Horticultural and agricultural exception shall be made with written approval from the Council.

n. Vending machines that are already in town may stay but no permits for new vending machines will be issued.

o. Christmas decorations must be removed by January 25.



SECTION 84.10  
SIGNS

1. Signs may be permitted by the Council in those parts of historic districts which are classified as Business or Industrial in the Zoning Code, except for Home Occupation uses or certain special exceptions. New signage or alterations to signage shall be required to receive a Certificate of Appropriateness, the same as structural alteration, new construction or demolition.

2. All proposed signs or changes to signs as to their appropriateness within the historic area are subject to Council review. Each sign application shall be reviewed as a unique case, subject to the following criteria, which shall include, but not be limited to:

aa. Allowable sign-types.

11. Flat signs. These signs shall always exist parallel to the building facade, and shall not be painted directly on the building surface, but shall be painted on a separate background material and applied to the facade as a unit.

22. Dimensional surface signs. This sign type shall be parallel to the building facade, and may consist in whole or in part of three-dimensional letter forms applied directly to the building surface, or applied to a separate flat background. The message may be in relief, or depressed by means of carving, etching, routing, positive or negative cut-out, etc.

33. Awnings. Awnings may be used as a means to display a sign, but should be limited to the front drop flat of the awning, and might be achieved as sewn applique or insert, or by painting or silk-screening. Awning fabrics shall coordinate with the character of the building, and with adjoining buildings and awnings. The bottom of awning shall be at least seven (7) feet above its sidewalk.

44. Projecting signs. Projecting signs, except those on a corner, are those which exist ninety degrees to the building surface. The signs' shapes may describe a particular service or activity, and are permitted to have dimension. Projecting signs must be designed for maximum strength, and must connect to sturdy wall bracket units with an adequate gauge of steel or iron strap or chain.

55. Banners. Banners may only be used by "not

for profit organizations" or for upcoming special events with written approval of the Council.

66. Temporary signs. A temporary sign, valance, or display as defined as one being seasonal in nature or as one having a duration of not more than eight (8) weeks, and may be used only by "not for profit groups." A temporary sign, valance, or display will be evaluated relative to its size, material, method of attachment, and its ease of maintenance and cleaning. With written approval of the Council, temporary signs may be up four (4) weeks prior to the event and must be removed no later than three (3) days after the event's completion.

### 3. Location and Size.

- aa. Dimensional surface signs shall not protrude from the primary building facade surface more than twelve (12) inches.
- bb. Perpendicular to building signs shall not exceed nine square feet (9 sq. ft.) in area, nor shall they extend below a point eight feet (8 ft.) from the sidewalk surface, nor out from the facade surface more than 54 inches.

4. Materials: Materials such as wood, wrought iron, steel, metal, grill-work, etc., which were used in the 19<sup>th</sup> century are encouraged. Materials such as extruded aluminum and plastic, while not prohibited, may not be appropriate. Simplicity and restraint in material selection, its method of application, or its detail construction, should be consistent with other criteria set forth herein.

5. Method of attachment. The sign's attachment should respect the architectural integrity of the structure and relate to or become an extension of the architecture. (Example: a sign utilizing an archway should reflect the archway in its configuration).

6. Illumination. Signs may appear without illumination or may be illuminated. Lighting source, design, and placement must be as unobtrusive as possible, and the proposed method of lighting is also subject to review by the Council.

7. Sign message. All building signs shall display only the formal name of the bona fide business conducted on the premises, plus brief secondary identification describing the nature of the business, including any agency or franchise affiliations, street numbers, and telephone numbers. One sign per facade shall be allowed, excepting those buildings which front on more than one street. No more than two signs shall be permitted per building.

In the case of buildings occupied by professional offices, perpendicular-



to-building signs may list occupants. No signs should occur above the second story window; however, an exception may be made in this instance by allowing window signs for those professionals occupying the third story of a building.

8. Signs in the historic area which are located in areas classified in the business or industrial districts of the Zoning Code shall be of a simple design and conform to regulation set forth herein, except that in no case will the following be allowed:

- aa. Roof-top signs.
- bb. Painted wall signs.
- cc. Free-standing signs or pylons.
- dd. Billboards.
- ee. Flashing or animated signs or signs with any moving parts.
- ff. Signs which authorize more information than permitted by this ordinance.
- gg. Signs which are back lighted.
- hh. Signs with an accumulated total of more than 100 sq. ft. per establishment or more than 10 percent of the ground floor area of the wall surface.

#### SECTION 84.11

#### STREET FURNITURE AND UTILITIES

1. Where possible, and subject to the requirements of local utilities, all new utility lines shall be underground in the historic district.
2. All free-standing light standards or premises shall be of a design which is compatible with lighting throughout the historic area, and subject to the approval of the Council.
3. The design and location of all items of street furniture must be approved prior to placement and subject to the approval of the Council. Similar designs should be used throughout the historic district.

#### SECTION 84.12

#### HISTORIC PRESERVATION OFFICER

1. The Executive Director of the Area Plan Commission shall be designated as the Historic Preservation Officer, and he and his office shall provide such technical, administrative and clerical assistance as required by the Council.

#### SECTION 84.13

#### FILING FEES AND APPLICATION FORMS

1. Applications for the following shall be accompanied by the following fees:
  - a. Certificate of Appropriateness      \$20.00

b. Demolition Permit	\$25.00
c. Appeal	\$50.00

#### SECTION 84.14

#### THE METAMORA HISTORICAL PRESERVATION AREAS

1. The primary historical area is described by the attached "Exhibit A."
2. The secondary historical area is that area generally described as follows:

The north line to be U.S. Highway 52 as far east on said highway to the north south half section line in section 31 and as far west as the west fork of the Whitewater River; the east line to be that portion of the north south half section line of section 31 between U.S. Highway 52 and a point 450 feet south of the Whitewater Valley Railroad; the depth of the secondary area to follow a line 450 feet south and parallel to the center line of the Whitewater Valley Railroad; excepted from the foregoing is "Exhibit A."

#### SECTION 84.15

#### RELATIONSHIP TO ZONING DISTRICTS

1. The regulations provided in this Ordinance are intended to preserve and protect the historic architecturally-worthy buildings, structures, sites, monuments, streetscapes, squares, and neighborhoods within the historic district incorporated in the Town of Metamora, Indiana. Zoning districts lying within the boundaries of the primary historic district are subject to the regulations for both the zoning district and the historic area. If there is a conflict between the requirements of this Ordinance and the zoning district, the more restrictive requirements shall apply.
2. The foregoing is intended to be in conjunction with Section 80.45 of the Area Zoning Code for Franklin County, Indiana.

#### SECTION 84.16

#### INTERPRETATION OF ORDINANCE; NONCONFORMING USES.

1. This Ordinance is to be interpreted as being consistent with the existing Area Zoning Code of Franklin County, Indiana.
2. Any building, structure, or land use in existence at the time of the adoption of the historic district on November 4, 1974 that is not in conformity to or within the zoning classification or restrictions or requirements of architectural standards of this Ordinance shall be considered to be a nonconforming use and may continue, but only so long as the owner or owners continuously maintain this use.
3. In addition to the requirements pertaining to Certificates of Appropriateness, the ownership of a nonconforming use is subject to the additional restriction that a nonconforming use may not be



reconstructed or structurally altered to an extent exceeding in aggregate cost fifty percent (50%) of the market value thereof unless the structure is changed to a conforming use.

**SECTION 84.99**  
**PENALTIES**

1. This Ordinance may be enforced by the council or by the Area Plan Commission.
2. This Ordinance may be enforced through civil proceedings in the Circuit Court of Franklin County, Indiana, and any legal, equitable, or special remedy may be sought, including injunction or civil penalty.
3. Any interested person or affected owner may also seek to enforce this Ordinance, and may pursue any remedy herein, excepting civil penalty.
4. If the owner of property in the primary historic district fails to maintain such property in accordance with this Ordinance, the Council or Area Plan Commission shall give the owner written notice of the violation, and the owner shall have thirty (30) days after receipt of notice in which to remedy such violations, or to otherwise respond to such notice.
5. Any person or corporation in violation of this Ordinance may be punished by fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00). Each day the violation of this Ordinance continues shall constitute a separate offence.

BE IT NOW ORDAINED AND ADOPTED this 17<sup>th</sup> day of July, 2006.

BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN, INDIANA

Louis E. Lemke

Robert W. Breach

Thomas E. Wilby

ATTEST:

Carol L. Monroe

Carol L. Monroe  
Auditor, Franklin County, Indiana

Being a part of the East Half of Section 36, Township 12 North, Range 12 East, and a portion of Section 31, Township 12 North, Range 13 East, both in Metamora Township, Franklin County, Indiana, and being bounded and described as follows: Beginning at the intersection of the South Right-of-Way of Main Street as platted in the Town plat of Metamora, with the line which runs between Section 36-12-12 and Section 31-12-13; Thence running along the extension of the South right-of-way of said Main Street Easterly until it intersects the East Bank of Duck Creek; Thence following the East Bank of above said Duck Creek Northerly and Westerly until said East Bank intersects the centerline of U.S. Highway #52; Then following the center of said U.S. Highway #52 in a westerly direction to the intersection of said centerline with the extension of the West line of A 4.13 Acre tract as described in Deed Record 84, Page 354 (State of Indiana property); Thence leaving said centerline and following said extension of said West line and said West line of said 4.13 Acre tract in a Southerly direction to a point in the center of Clayborn Street; Thence running Easterly to the West line of platted Metamora, said line also being on the East side of the property described in Deed Record 101, Page 918; Thence running Southerly along said West line of Metamora and said East line of Deed Record 101, Page 918 and extension of said line to the Northwest corner of Duck Creek Crossing; Thence South along the West line of Duck Creek Crossing to the Southwest Corner of said property; Thence Easterly along the South line of said Duck Creek Crossing to the Southeast corner of said property; Thence in an Easterly direction to the Northwest corner of a 0.25 Acre tract of land as described in Deed Record 59, Page 228; Thence South along the West line of said 0.25 Acre tract to the Southwest corner of said property; Thence Easterly along the South line of said 0.25 Acre tract and another 0.25 Acre tract as described in Deed Record 98, Page 758 to the Southeast corner of said property; Thence Northerly to the Northeast corner of said property, said point being on the South line of Mount Street; Thence Easterly along the South line of said Mount Street and extension of said South line until it intersects the line which runs between Section 36 and Section 31; Thence North following said Section line to the place of beginning. Specially, this area is delineated on a map, which is hereby made a part of this Code. The historic resources in the Metamora Historical Preservation Area have been recorded in the Franklin Interim Report as part of the Indiana Sites and Structures Inventory, 1978. A copy of this is on file in the offices of the County Auditor and the Historic Preservation Officer and is available for public inspection during regular office hours.



COUNTY COUNCIL OF Franklin COUNTY, INDIANA

AN ORDINANCE TO ESTABLISH THE Franklin  
COUNTY RECORDER'S ENHANCED ACCESS FUND

*Whereas*, under the authority provided by Indiana Code (IC) 5-14-3-3.6(c)(2) the Franklin County Recorder has entered into a contract with a third party to provide enhanced access to recorded document index information and to recorded document images that are public records on file and under the legal authority of said Recorder; and

*Whereas*, IC 5-14-3-3.6(e) and IC 5-14-3-8(h) permit the assessment of a reasonable fee for the provision of such enhanced access to public records; and

*Whereas*, IC 5-14-3-8.3 requires the county fiscal body to adopt an ordinance to establish an enhanced access fund into which the enhanced access fees received by the recorder shall be deposited;

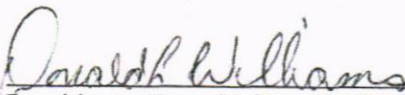
**NOW, THEREFORE, BE IT ORDAINED** by the County Council of Franklin County, Indiana, that it does hereby establish the Franklin County Recorder Enhanced Access Fund No. 79 (the "Fund") to receive those fees collected by said Recorder for the above-described provision of enhanced public access to public records under said Recorder's charge.

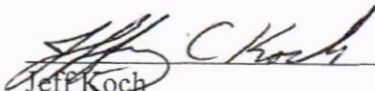
**BE IT FURTHER ORDAINED** that the Fund shall be a dedicated fund and the monies deposited therein shall be used (i) for the replacement, improvement, and expansion of capital expenditures in the Franklin County Recorder's office, and/or (ii) for the reimbursement of operating expenses incurred in providing enhanced access to public information by the Franklin County Recorder's office.

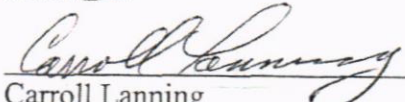
Duly adopted this 27th day of June, 2006.

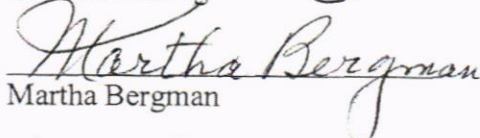
Franklin COUNTY COUNCIL,

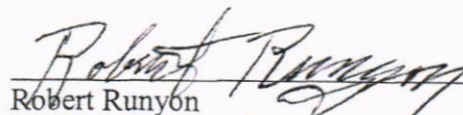
Franklin COUNTY, INDIANA

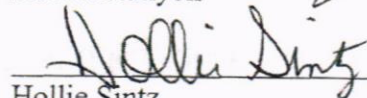
  
President - Donald (Butch) Williams

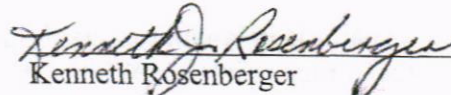
  
Jeff Koch

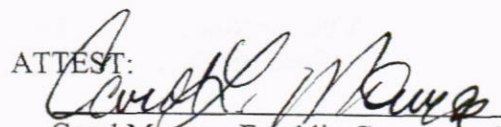
  
Carroll Lanning

  
Martha Bergman

  
Robert Runyon

  
Hollie Sintz

  
Kenneth Rosenberger

ATTEST:  
  
Carol Monroe, Franklin County Auditor

**FILED**

SEP 11 2006

**ORDINANCE NO. 2006-12**

*Cayle H. Hurd*  
Auditor Franklin County

**AN ORDINANCE DECLARING IT TO BE AN UNLAWFUL ACTIVITY  
TO DIVE OR JUMP FROM ANY FRANKLIN COUNTY OWNED BRIDGE OR  
STRUCTURE INTO THE WHITEWATER RIVER OR OTHER STREAM**

**LOCATED ON THE FRANKLIN COUNTY HIGHWAY SYSTEM**

WHEREAS, the Board of Commissioners of Franklin County, Indiana are responsible for maintenance and use of all county owned bridges and structures on the Franklin County Highway System; and

WHEREAS, the Board of Commissioners make the decisions when inappropriate activities may cause a safety hazard that interferes with the safest operation of vehicles on the Franklin County Highway system; and

WHEREAS, the Board of Commissioners have received complaints concerning diving or jumping from various Franklin County bridges into the Whitewater River; and

WHEREAS, it is determined that this type of activity in Franklin County, Indiana is a potential safety hazard to motorists crossing various bridges and to those using county owned bridges and structures to engage in this type of activity; and

WHEREAS, it is determined that it is unlawful to dive or jump from any Franklin County owned bridge or structure into the Whitewater River or other stream; and

WHEREAS, it is also determined that appropriate signs may be posted and maintained to inform the public of this ordinance.

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. That it is unlawful to dive or jump from any Franklin County owned bridge or other structure into the Whitewater River or other stream.
2. This Ordinance shall be effective upon passage.
3. A person who violates this Ordinance commits a Class C infraction and shall be fined per State Code.



BE IT NOW ORDAINED AND ADOPTED this 11<sup>th</sup> day of September 2006.

BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA



LOUIS E. LINKEL - PRESIDENT



ROBERT O. BRACK - MEMBER

\_\_\_\_\_  
THOMAS E. WILSON - MEMBER

ATTEST:



CAROL LYNN MONROE  
AUDITOR, FRANKLIN COUNTY, INDIANA

**FILED**

SEP 18 2006

ORDINANCE NO. 2006 --

13

*Cayle H. Nye*  
Auditor Franklin County

**AN ORDINANCE DECLARING A REASONABLE AND  
SAFE MAXIMUM SPEED LIMIT ON**

**SILVER CREEK ROAD FROM SNAIL CREEK ROAD  
TO THE NO OUTLET END**

WHEREAS, the Board of Commissioners of Franklin County, Indiana make the decisions when appropriate traffic signs shall be installed that will improve traffic safety and allow for the safest operation of vehicles on the Franklin County Highway system; and

WHEREAS, the Board of Commissioners have received a petition from the Silver Creek Residents to reduce the speed limit on Silver Creek Road; and

WHEREAS, the Board of Commissioners have determined it necessary to reduce traffic speeds on Silver Creek Road due the narrow, winding roadway and hidden driveways; and

WHEREAS, it is determined on the basis of an investigation, that the maximum speed limit, permitted by Indiana Statute and previous Franklin County Ordinances, is greater than reasonable and safe under the conditions found to exist on Silver Creek Road in Section 9 in Brookville Township and Sections 5, 8, 31 and 32 in Metamora Township, Franklin County Indiana; and

WHEREAS, it is determined that a reasonable and safe maximum speed limit on Silver Creek Road in Brookville and Metamora Townships, Franklin County, Indiana is 30 miles per hour; and

WHEREAS, it is also determined that other appropriate regulatory and warning traffic signs be installed and maintained which promote traffic safety and allow for the safe operation of vehicles; and

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:


1. That the maximum speed limit on Silver Creek Road from Snail Creek Road in Section 9 in Brookville Township to the No Outlet End including Sections 5, 8, 31 and 32 in Metamora Township, Franklin County Indiana; shall be 30 miles per hour.




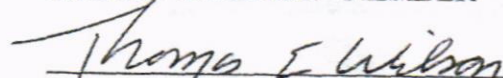
2. This Ordinance shall be effective upon passage.
3. A person who violates this Ordinance commits a Class C infraction and shall be fined per State Code.

BE IT NOW ORDAINED AND ADOPTED this 18th day of September 2006.

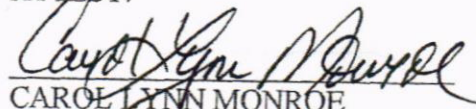
BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA

  
LOUIS E. LINKEL - PRESIDENT

  
ROBERT O. BRACK - MEMBER

  
THOMAS E. WILSON - MEMBER

ATTEST:

  
CAROL LYNN MONROE  
AUDITOR, FRANKLIN COUNTY, INDIANA

FOR SAFETY REASONS, WE THE UNDERSIGNED, PETITION THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY, INDIANA TO REDUCE THE SPEED LIMIT TO 30 MILES PER HOUR ON SILVER CREEK ROAD, METAMORA TOWNSHIP, INDIANA. THOUGH THERE ARE NOT MANY LIVING ALONG THE ROAD, IT HAS HEAVY USAGE AND IT IS NARROW, WINDING AND THERE ARE HIDDEN DRIVEWAYS MAKING A HIGHER SPEED UNSAFE.

SIGNATUREDATESIGNATUREDATE

Russell Walker 9/14/06

8195 SILVER CREEK RD

David M. Dwyer  
9126 Silver Creek Road.

Kevin J. Allen 8036

MARCO TIBBETTS 8021 Silver Creek

Albert & Leathie Shoemaker 8081 Silver Creek Rd Metamora 47031

MARILYN & STEVE Shoemaker Silver Creek Rd Metamora 47031

NANCY MULLINS Silver Creek Rd

Andy Meyer Silver Creek Rd,  
Silverway Rd.  
Edwina Sparks

**FILED**

SEP 11 2006

Caryn M. Burke  
Auditor Franklin County